

AMENDMENTS TO THE DRAWINGS

The attached drawing sheets include changes to Fig. 1, 3, 5, 7, 9 and 11.

Attachment: Six (6) Replacement Sheets

REMARKS

The applicants appreciate the acknowledgement of the claim for priority under section 119 and the notice that the certified copy of the priority document has been received.

Also, the applicants acknowledge receipt of the initialed copy of the form PTO 1449 filed on 24 July 2003 and 21 July 2005.

Claims 1-10 are pending. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

The examiner objects to the specification, requiring that the phrase “voice recognition” be changed to “speech recognition.” Accordingly, the specification is amended to change “voice recognition” to “speech recognition.” Similarly, the drawings, elements 1B and Z2, have been amended to conform to the revised specification. Withdrawal of the objection and approval of the amendments is respectfully requested.

The examiner objects to the claim 2. The typographical error in claim 2 is corrected by way of the above amendment. Also, pursuant to the examiner’s statements, claim 1 is amended to change “voice recognition” to “speech recognition.”

Claims 1-4 and 6-7 were rejected under 35 USC 102(b) as being anticipated by JP-A-H110119792, Yamaguchi (“Yamaguchi”). Claim 5 was rejected under 35 USC 103(a) as being unpatentable over Yamaguchi in view of U.S. Patent No. 6,345,254, Lewis et al. (“Lewis”). Claim 8 was rejected under 35 USC 103(a) as being unpatentable over Yamaguchi in view of U.S. Patent No. 5,754,430, Sawada (“Sawada”). Independent claim 1 is amended. Insofar as the rejection may be applied to the amended claims, the applicants respectfully request that this

rejection be withdrawn for reasons including the following, which are presented by way of example.

The specification describes problems in handling commands that are inexecutable in the current settings of a target device. The user may be confused since, for example, the command is never executed but the user is not notified. (Specification page 1, line 25 to page 2, line 17.)

Independent claim 1 recites, for example, “a function setting detection means for detecting a function setting of the target device; a command executability determination means for determining executability of the command inputted by the user in the function setting detected by the function setting detection means and for providing, by the message output means, a correct usage of the voice command inputted by the user when the voice command is determined inexecutable.”

Without conceding that Yamaguchi discloses any feature of the present invention, Yamaguchi is directed to an equipment controller with voice recognizing function. According to Yamaguchi, when a similar type command which might be misrecognized is input, the ECU determines whether the command execution is allowed or inhibited according to current travel conditions. If inhibited or allowed, a talkback re-voicing using a rephrasing command is made. (Abstract.)

The office action asserts that Yamaguchi discloses the invention as claimed. To the contrary, Yamaguchi fails to teach or suggest the invention, as presently claimed, when the claims are considered as a whole. Yamaguchi fails to teach or suggest, for example, “a function setting detection means for detecting a function setting of the target device;” and “a command executability determination means for determining executability of the command inputted by the user in the function setting detected by the function setting detection means and for providing ...

a correct usage of the voice command inputted by the user when the voice command is determined inexecutable.” (Claim 1.) To the contrary, in Yamaguchi, if an input voice command is similar to a correct command, the correct command itself is notified to a user by a speaker. Furthermore, the target device is controlled based on an environmental condition of the vehicle.

Yamaguchi fails to teach or suggest, for example, these elements recited in independent claim 1. It is respectfully submitted therefore that claim 1 is patentable over Yamaguchi.

For at least these reasons, the combination of features recited in independent claim 1, when interpreted as a whole, is submitted to patentably distinguish over the references of record. In addition, Yamaguchi clearly fails to show other recited elements as well.

With respect to the rejected dependent claims, applicant respectfully submits that these claims are allowable not only by virtue of their dependency from independent claim 1, but also because of additional features they recite in combination.

New claims 9-16 have been added to further define the invention, and are believed to be patentable for reasons including these set out above. Support for new claims 9-10 is located in the application as filed, for example, claim 1 and FIG. 2. Support for new claims 11-16 is located in the application as filed, for example, page 5, lines 18-21; page 6, lines 5-7; and FIG. 2.

In addition, with regard to new claim 11, none of the references (alone or in combination) teach that the function setting detection means of the target device detects function settings by interrupting the operation of the target device. Similarly, with regard to new claims 13 and 15, none of the references teach that the operating condition is detected by interrupting the operation of the target device. With regard to new claims 12, 14 and 16, none of the references teach or suggest sending a signal to execute the command if it is executable under the detected operating

condition, and that the function setting of the target device is changed by executing the command. For these additional reasons, new claims 11-16 are deemed to be patentable over the references, alone or in combination.

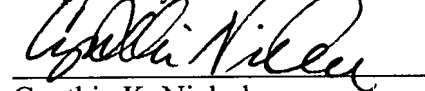
Applicants respectfully submit that, as described above, the cited art does not show or suggest the combination of features recited in the claims. Applicants do not concede that the cited art shows any of the elements recited in the claims. However, applicants have provided specific examples of elements in the claims that are clearly not present in the cited art.

Applicants strongly emphasize that one reviewing the prosecution history should not interpret any of the examples applicant has described herein in connection with distinguishing over the cited art as limiting to those specific features in isolation. Rather, for the sake of simplicity, applicants have provided examples of why the claims described above are distinguishable over the cited references.

In view of the foregoing, the applicants submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,



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